



STATE OF WASHINGTON
DEPARTMENT OF HEALTH

**Board of Osteopathic Medicine and Surgery
Meeting Minutes**

December 4, 2020
9:00 a.m.

On December 4, 2020, the Board of Osteopathic Medicine and Surgery held a webinar meeting.

MEMBERS PRESENT

Alex Sobel, DO, Vice Chair
Patrice Konschuh, Public Member
Kim Morrisette, DO
Shannon Phipps, DO
Yuri Tsurulnikov, DO
Kevin Ware, DO
Lisa Galbraith, DO
Sharon Gundersen, PHD, Public Member
Tania Hernandez, DO

STAFF PRESENT

Tracie Drake, Program Manager
Renee Fullerton, Executive Director
Davis Hylkema, Assistant Program Manager
Michelle Hartman, Administrative Assistant
Heather Carter, Assistant Attorney General
Ashley Maxwell, Supervising Staff Attorney
Cori Tarzwell, Policy Analyst

GUESTS:

Amelia Boyd, Washington Medical
Commission
Roseane Anderson, Washington Osteopathic
Medical Association
Taylor Sawyer, University of Washington
Michael Van Dyke

1. Call to Order/Introductions

Alex Sobel, DO, Vice Chair, called the open public meeting to order at 9:08 a.m.

- 1.1 The board members, staff, and guests, introduced themselves.
- 1.2 The board approved the December 4, 2020 agenda with amendment to remove line item number two.
- 1.3 The board approved the October 23, 2020 business meeting minutes as presented.

2. Presentation regarding the Communication and Resolution Program (CRP)

Ms. Drake explained that due to ongoing discussions regarding the structure of the CRP program, she has delayed the presentation until a later date. The board agreed to remove this item from the agenda.

3. Newsletter

The board reviewed the draft newsletter. Dr. Galbraith recommended adding guidelines regarding wearing masks due to COVID-19. Ms. Drake advised the board the newsletter will be sent out via GovDelivery once revisions are completed.

MOTION: A motion was made to approve the newsletter with revisions. The motion was seconded and unanimously approved.

4. **Expert Witness Strategies**

Ms. Maxwell, supervising staff attorney, discussed with the board strategies for engagement of expert witnesses on disciplinary matters before the board.

5. **Legislative Representative for the 2021 Legislative Session**

In an effort to keep the board apprised of any relevant legislation that has been introduced, Dr. Sobel asked for a representative to participate in the weekly legislative conference calls. Two board members, Dr. Tsurulnikov & Dr. Hernandez, agreed to represent the board.

6. **Discipline Action Regarding COVID-19 Infection Control Violations**

The board discussed discipline options for respondents who receive additional complaints for violations of governor's orders regarding COVID-19, after a technical assistance letter has been sent. Ms. Fullerton asked for input from the board and offered the following suggestions on how best to handle those who have received more than one technical letter:

- If there is a violation of the Uniform Disciplinary Act, open an investigation; or
- Refer to the Department of Labor and Industries

7. **Physician Assistant Discipline Consultation SHB 2378**

The board discussed consultation with the Washington Medical Commission (WMC) on investigations against physician assistants who are supervised by an osteopathic physician. The board suggested that the Washington Medical Commission inform the board when they open a case against a physician assistant who is supervised by an osteopathic physician. The board also requested the WMC forward the complaint to the board if there appears to be a violation by the supervising osteopathic physician.

8. **Correspondence**

The board received no correspondence to review.

9. **Program Reports**

9.1 Budget Update

Ms. Fullerton presented the budget status report as of October 31, 2020. Overall, the fiscal position of the board remains strong. Ms. Fullerton also updated the board on the HELMS status. The department signed a contract with Publicis Sapient to design, configure, and deploy HELMS. It is set to be implemented in Spring 2022. There will be benefits for board members, such as the ability to access files electronically, rather than the assortment of distribution mechanisms that currently exist.

9.2 Update on nitrous oxide guidance document

Ms. Drake asked for the board's input on the recommendation of changing the nitrous oxide policy to a guideline.

MOTION: Dr. Tsurulnikov motioned to approve the recommendation of changing the nitrous oxide policy to a guideline. The motion was seconded and unanimously approved.

9.3 Update on HIV/AIDS training rules repeal

Ms. Drake advised the board that the CR-103 rule making for taking out the HIV/AIDS requirement for licensing is in agency review. Once approved, it will be filed with the Office of the Code Reviser and will become effective after 31 days.

9.4 Copy of response letter to Safety First

The board reviewed the response letter written by Ms. Drake and Ms. Carter to Team Safety who was inquiring as to whether their program constitutes unlawful practice of medicine in Washington.

10. **Open Forum**

The purpose of the open forum is to provide the public an opportunity to address the board on issues of significance to or affecting osteopathic medical practice and that are not related to topics for which a rules hearing was or will be scheduled.

There was no public comment.

11. **Future Business**

No future business was discussed.

12. **Adjournment of public meeting**

The public meeting adjourned at 10:10 a.m.

13. **Discipline, Settlement Presentations and Licensing**

The board met to discuss licensing and disciplinary matters.

Respectfully submitted,

Tracie Drake, Program Manager

NOTE: Please visit the web site for future agendas and minutes - www.doh.wa.gov. Go to licensing and certification and you will find a list of the health care professions, go to osteopathic physicians for agendas and minutes.